

REMARKS

Reconsideration of the application is respectfully requested.

Claims 179, 185 and 251-277 were pending in the Application. Claims 278-291 were added. Claims 179, 185 and 251-291 are now pending in the application.

Species R of Figure 11 was elected. Claims 278-291 contain all the limitations of the elected species.

Claims 278-279 find support in claims 179 and 185 of the present application, combined with claims 137-154 (which introduce the limitations of Species R of Figure 11) of the parent application.

Claims 179, 185 and 251-277, which do not include all the limitations of Species R, were not cancelled, and Applicant respectfully requests reconsideration of the restriction requirement.

A check for \$169.00 is enclosed to cover the cost of 14 additional claims ($9 \times \$14.00 = \126.00) and one independent claim in excess of three ($1 \times \$43.00 = \43.00)

DETAILED ACTION

Election/Restriction

Applicant respectfully traverses the position of the Office Action.

Applicant earnestly believes that claims 179 and 185 claim patentably

distinct inventions themselves, and do not have to be restricted by any other patentably distinct species in order to be patentable. Although the claimed inventions in claims 179 and 185 may be utilized by any of the other patentably distinct species presented in the Office Action, it does not mean that said claimed inventions of claims 179 and 185 are not patentable by themselves. Further, all other patentably distinct species mentioned in the Office Action, do not necessarily require the features of claims 179 and 185 to be patentable.

The Office Action has not shown any evidence that claims 179 and 185 are not patentable within their own limitations.

Claim 179 represents a combination fastener, which, due to its critical limitations, forces the screw to be supported on the fastener in a wobble-free mode. Although, this is a useful attribute to any of the other species, it is certainly not necessary for the combination fastener to include limitations from any other species to be patentable by itself alone, and the Office Action has not presented any evidence to the contrary.

The same arguments are true in the case of claim 185, which claims a vehicle comprising the fastener of claim 179.

Applicant, in order to comply with the requirements of 35 U.S.C. 121, elects the species R, Figure 11 on the merits of which the claims shall be restricted if no generic claim is finally held to be allowable.